



**STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
DIVISION OF MOTOR VEHICLES
P.O. BOX 698
DOVER, DELAWARE 19903**

First Last
Address Line 1
City, State Zip Code

License Number: 9999999

**NOTIFICATION OF SECURITY THREAT ASSESSMENT AND LEGAL PRESENCE
REQUIREMENTS FOR CDL HOLDERS WITH HAZARDOUS MATERIALS
ENDORSEMENTS.**

The federal Transportation Security Administration (TSA) and the U.S. Department of Transportation have federal rules established to secure the transport of hazardous materials, including explosives. Federal rule requires a security threat assessment on commercial drivers certified to transport hazardous materials (hazmat). The security threat assessment is required every five years and includes the collection of an individual's fingerprints and verification of United States citizenship, immigration eligibility, or permanent legal presence in the United States.

It is required that all applicants complete the TSA application process at each 5-year renewal. Security threat assessment applications must be filed no later than 30 days prior to the license expiration to allow time for the security threat assessment to be completed. This letter is intended to serve as notification of these requirements.

Individuals who currently have a commercial driver license (CDL) with hazmat endorsement, who do not meet the qualification requirements described in this notification, are required to immediately surrender the CDL (with hazmat endorsement) to a state driver licensing office. If otherwise qualified and all applicable fees are paid, the applicant may be re-issued a CDL without a hazmat endorsement.

Citizenship or Immigration Status Requirements

All Hazardous Material Endorsement (HME) applicants must be one of the following:

- A citizen of the United States who has not renounced his/her U.S. citizenship
- A lawful permanent resident of the U.S.
- A lawful nonimmigrant in possession of a valid, unrestricted employment authorization
- A refugee admitted under Section 8 U.S.C. 1157 in possession of a valid, unrestricted employment authorization
- In asylum status under Section 8 U.S.C. 1158 in possession of a valid, unrestricted employment authorization

Acceptable Citizenship and Immigration Documents

Only the following documents will be accepted as proof of citizenship or immigration status:

- U.S. Passport
- Certificate of Birth that bears an official seal
- Certification of Birth Abroad (Form FS-545 or DS-1350)
- Certification of Naturalization (Form N-550 or N-570)
- Certification of U.S. Citizenship (Form N-560 or N561)
- Permanent Resident Card
- Alien Registration Receipt Card (Form I-551)
- Temporary I-551 stamp in foreign passport
- Temporary I-551 stamp on Form I-327
- Arrival/Departure Record with photograph of the bearer.
- Reentry Permit (Form I-327)
- Bureau of Citizenship and Immigration Services (BCIS) Alien Registration Number

Certification and/or disclosure of the following is also required

- The applicant has not been convicted or found guilty by reason of insanity of any of the interim disqualifying crimes in any jurisdiction, civilian or military, during the seven years before the date of application.
- The applicant has not been released from incarceration from any jurisdiction, civilian or military, for committing any interim disqualifying crime during the five years before the date of application.
- The applicant has not been convicted or found guilty by reason of insanity of any permanently disqualifying crime.
- The applicant is not wanted or under indictment in any jurisdiction, civilian or military, for a disqualifying crime.
- The applicant has not been adjudicated as lacking mental capacity or committed to a mental institution involuntarily.
- The applicant is either a United States citizen who has not renounced United States citizenship or a lawful permanent resident of the United States, or meets eligibility requirements for immigration status.
- Disclosure of the applicant's military service and date of discharge.

A summary of the State of Delaware CDL hazmat endorsement application/renewal process is included with this mailing along with a listing of disqualifying crimes. Additional information is available at the TSA website at <http://www.tsa.gov> (Once at the site, search keyword "Hazmat".)

If you need additional assistance on the application and fingerprinting process, please call the TSA agent at 1-855-347-8371 or visit them on the web at: <https://universalenroll.dhs.gov>. In addition, you can contact the State of Delaware Division of Motor Vehicles at (302) 744-2506 or visit our website at www.dmv.de.gov.

Sincerely,

Caleb Vicks
Driver License Program Manager

HAZARDOUS MATERIALS ENDORSEMENT DISQUALIFYING CRIMES

Permanently Disqualifying Criminal Offenses

An applicant has a permanently disqualifying criminal offense if convicted or found not guilty by reason of insanity in a civilian or military jurisdiction of any of the following felonies:

1. Espionage.
2. Sedition.
3. Treason.
4. Terrorism.
5. A crime involving a severe transportation security incident (i.e., security incident involving a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area).
6. Improper transportation of a hazardous material (minor infractions involving transportation of hazardous materials will not disqualify a driver; for instance, no driver will be disqualified for a minor roadside infractions or placarding violations).
7. Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device.
8. Murder.
9. Bomb threats.
10. Racketeer Influenced and Corrupt Organizations Act (RICO) violations (if the crime underlying the RICO conviction is on the list of permanently disqualifying crimes).
11. Attempt to commit any of the crimes in items 1-4.
12. Conspiracy or attempt to commit any of the crimes in items 5-10.

Interim Disqualifying Criminal Offenses

An applicant has an interim disqualifying criminal offense if convicted or found not guilty by reason of insanity in a civilian or military jurisdiction of any of the crimes listed below within the seven years preceding the date of application; or if the applicant was released from incarceration for the crime within the five years preceding the application date:

1. Assault with intent to murder.
2. Kidnapping or hostage taking.
3. Rape or aggravated sexual abuse.
4. Extortion.
5. Robbery.
6. Arson.
7. Bribery.
8. Smuggling.
9. Immigration violations.
10. Racketeer Influenced and Corrupt Organizations Act (RICO) violations (if the crime underlying the RICO conviction is not on the list of permanently disqualifying crimes) .
11. Distribution of, possession with intent to distribute, or importation of a controlled substance (“simple possession” of a controlled substance without an intent to distribute is not considered disqualifying).
12. Dishonesty, fraud, or misrepresentation, including identity fraud (e.g., felony-level embezzlement, tax evasion, perjury, and false statements to the federal government).
13. Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in firearms or other weapons.
14. Unlawful entry into a seaport.
15. Conspiracy or attempt to commit any of these crimes.

HAZARDOUS MATERIALS ENDORSEMENT (HME) APPLICATION HANDOUT

1. Begin the issuance/renewal process by applying at any Delaware Division of Motor Vehicles (DMV) office. The applicant must:
 - a. Be at least 21 years of age.
 - b. Have a valid CDL or CDL Permit (for beginning process only).
2. Complete the HME knowledge test.
3. The applicant can visit the Transportation Security Administration (TSA) agent website at <https://universalenroll.dhs.gov> and fill out the federal HME application. If you do not have internet access or wish for a TSA agent to fill out your application, you may call the TSA agent Helpdesk at 1-855-347-8371. You may also complete your application at a TSA approved agent location.
4. Once your application is completed, you must be fingerprinted by a TSA approved agent. The TSA application and your fingerprints must be submitted to TSA at least 30 days prior to issuing or renewing your HME. DMV cannot issue an HME until TSA determines you are not a security threat. Information about the fingerprinting process, including fingerprint locations, can be found on the TSA agent website <https://universalenroll.dhs.gov> or by calling 1-855-347-8371.
5. There is a federal fee of \$86.50 that you must pay to the TSA approved agent during your visit. If you do not wish to use a credit or debit card, you **must bring a money order** in the amount of \$86.50 made payable to **MorphoTrust USA** with you when you get fingerprinted or your application will not be processed. Please note, the fee to renew the threat assessment is the same as the initial threat assessment fee.

If you wish to be fingerprinted locally, please visit the TSA agent website <https://universalenroll.dhs.gov> or call 1-855-347-8371 for a listing of your local TSA approved Universal Enrollment Centers.

6. Once TSA notifies you by mail that you are qualified, you may visit the DMV to add the HME to your CDL. If TSA determines you are not qualified for an HME, TSA will provide you with information on how to appeal the security threat assessment. You can find more information on the appeal process by visiting the following TSA website: www.tsa.gov.
7. The following requirements must be met before DMV will apply the endorsement to the CDL:
 - CDL must be valid
 - TSA approval must be received
 - Proof of citizenship or immigration status must be presented (See acceptable documents)
 - HME knowledge test must be passed
 - \$5.00 Endorsement fee must be paid